NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

WILLIAM SEYMOUR JONES,

Plaintiff, : Civil Case No. 03-CV-3947 (FSH)

v. : <u>OPINION AND ORDER</u>

ZARA, ET AL., : Date: July 6, 2005

Defendants.

HOCHBERG, District Judge

Plaintiff William Seymour Jones appeals the May 23, 2005 Order of Magistrate Judge Shwartz denying Plaintiff's discovery demands directed toward Defendant Sally.

This Court having reviewed Magistrate Judge Shwartz's Order and the submission of Plaintiff, and

it appearing that Magistrate Judge Shwartz determined that Defendant Sally responded to the discovery demands and therefore the discovery issues raised by Plaintiff were resolved, and it appearing that the Order is neither clearly erroneous nor contrary to law,¹

IT IS on this 6th day of July, 2005,

¹This Court reviews the May 23, 2005 Order under the clearly erroneous standard. A Magistrate's adjudication of a non-dispositive motion will be set aside only if the order is found to be clearly erroneous or contrary to law. <u>Cipollone v. Liggett Group, Inc.</u>, 785 F.2d 1108, 1111, 1113 (3d Cir. 1986) <u>cert. denied</u>, 484 U.S. 976, 108, S. Ct. 487 (1987) (citing 28 U.S.C. § 636(b)(1)(A); <u>see also</u> Fed. R. Civ. P. 72(a); L. Civ. R. 72.1(c).

ORDERED that the May 23, 2005 decision by Magistrate Judge Shwartz, denying Plaintiff's discovery demands is **AFFIRMED**.

/s/ Faith S. Hochberg, U.S.D.J.

HON. FAITH S. HOCHBERG, U.S.D.J.